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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 KEVIN R. SCHRUBB, SR.,

12 Plaintiff,

No. CIV S-04-2704 GEB CMK P

13 vs.

14 JOHN/JANE DOE, et al.,¹

15 Defendants.

ORDER

16 _____/
17 Plaintiff, a state prisoner proceeding pro se, has
18 filed this civil rights action seeking relief under 42 U.S.C.
19 § 1983. The matter was referred to a United States Magistrate
20 Judge pursuant to 28 U.S.C. § 636(b) (1) (B) and Local General
21 Order No. 262.

22 On February 17, 2005, the magistrate judge filed
23 findings and recommendations herein which were served on
24 plaintiff and which contained notice to plaintiff that any
25 _____

26 ¹ The caption is amended to reflect the caption on the
Amended Complaint filed May 11, 2005.

1 objections to the findings and recommendations were to be filed
2 within twenty days. Plaintiff has not filed objections to the
3 findings and recommendations. However, on May 11, 2005,
4 Plaintiff filed an Amended Complaint.

5 Therefore, the findings and recommendations filed
6 February 17, 2005, are not adopted, because they address
7 Plaintiff's previous Complaint.

8 Dated: May 19, 2005

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10 /s/ Garland E. Burrell, Jr.
11 GARLAND E. BURRELL, JR.
12 United States District Judge
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